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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

BOARD OF TRUSTEES OF THE CEMENT
MASONS HEALTH AND WELFARE TRUST
FUND FOR NORTHERN CALIFORNIA;
BOARD OF TRUSTEES OF THE CEMENT
MASONS VACATION-HOLIDAY TRUST
FUND FOR NORTHERN CALIFORNIA;
BOARD OF TRUSTEES OF THE CEMENT
MASONS PENSION TRUST FUND FOR
NORTHERN CALIFORNIA; and BOARD OF
TRUSTEES OF THE CEMENT MASONS
TRAINING TRUST FUND FOR NORTHERN
CALIFORNIA,

Plaintiffs,

vs.

SETON PACIFIC CONSTRUCTION, a
California corporation,

Defendant.

Case No.: 4:23-cv-2363-DMR

**STIPULATION TO CONTINUE ENE
DEADLINE AND CONVERT ENE TO
MEDIATION; ORDER THEREON**

STIPULATION

IT IS HEREBY STIPULATED by and between Plaintiffs and Defendant, through their respective counsel, and after conferring with assigned ENE Evaluator, Sanford Kingsley, that the parties continue, in good faith, to exchange information and documentation in an effort to either resolve the pending lawsuit or narrow the issues for further discovery and trial. The parties have been diligent in working together, but need additional time to voluntarily exchange further information and documentation.

In this Court's Case Management and Pretrial Order for Jury Trial, and Amended Civil Conference Minute Order, this Court set a trial date for May 12, 2025, and a deadline to complete ENE by June 28, 2024. [Dkt. 22, 23].

The parties respectfully request that this Court continue: (1) continue the ADR deadline for ninety (90) days; and (2) allow the parties to select mediation in lieu of ENE. The assigned ENE evaluator has agreed to serve as a mediator in lieu of serving as an ENE Evaluator.

As of the date of this writing, the parties are not requesting any further modifications of this Court's Case Management and Pretrial Order for Jury Trial.

DATED: May 22, 2024

DATED: May 21, 2024

BULLIVANT HOUSER BAILEY PC

THE MAZZOLA LAW OFFICE - PC

By



RONALD L. RICHMAN
Attorneys for Plaintiffs

By

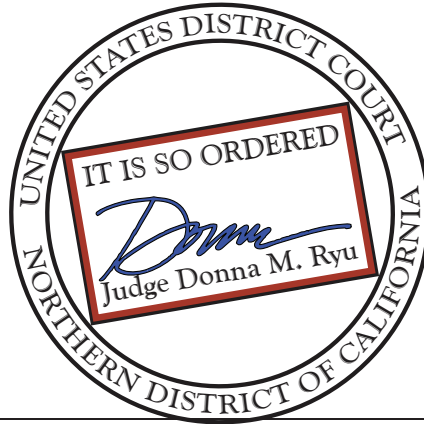


SIMON A. MAZZOLA
Attorney for Defendant

ORDER

Based on the parties' Stipulation and good cause appearing,
IT IS HEREBY ORDERED that the deadline to complete ADR is September 30, 2024 and that
this Court consents to the parties participating in mediation before assigned ENE Evaluator
Sanford Kingsley in lieu of ENE before Sanford Kingsley. No other trial or pre-trial dates are
changed.

DATED: May 24, 2024



HON. DONNA M. RYU
UNITED STATES MAGISTRATE JUDGE

4877-7758-2784.1